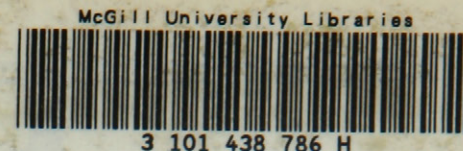


Quid Navi



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The University of Edinburgh

Sheena Bassani, LLBIII

Law.

I am presently studying on exchange at the Edinburgh University in Scotland. This article is meant to inform those of you who are interested in going on exchange next year. Your Associate Dean Academic (Professor Jutras) should be able to provide you with information on courses generally offered. I will be providing you with information on other aspects of the exchange.

I shall begin with a summary of the academic responsibilities. You will be required to take three honours courses; since these are all seminars, you will only have two hours of class time per course. The classes are small (between 6 and 21 students), so each student is required to do all of the readings ahead of time, as well as put some thought into the subject in general. Class discussions are often extremely productive due to this individual preparation. Since you only take three courses over the entire year (as opposed to 10 at McGill), you finish with an in-depth grasp of the concepts and problem areas. I am taking Media Law, International Law Honours and Decision and Reason in Law.

The Europa Institute is the only department of specialization within the Faculty of Law. Part of the library is devoted to the Institute, so there is a great deal of materials dedicated to European

There are three terms. In the first, which runs from October until December, there are usually no exams or essays for honours courses. There is a one month vacation over Christmas, although one week is to be spent preparing for the first classes in January. The second semester runs from January to March, and this is usually when the essays are written. You can count on having one essay (average length) for each course. Spring break is also one month long, although this is time to be spent preparing for exams. The third term runs from April to June, and consists of both classes and exams (one closed-book final for each course).

The Faculty of Law seems to have high standards for both staff and students. However, with a few exceptions, I believe McGill to have better professors (shhhh, don't tell anyone I said that!). The library staff here are not very helpful, and the process of research is much more complicated than at McGill. There is no real abridgement guide for Scottish and English cases. Halsbury's Laws is a good summary of the law in England, but Scottish Courts are often reluctant to follow "English Law", as it is not regarded as binding. There is no such thing as Legaltrack, and it is hard to even tell which Law Reporters exist within the library. This makes the search for

periodicals so complicated, that most students never bother consulting them. A person must research both English law as well as Scottish law, and there is no complete index guide for all Scottish cases. The process of researching precedent seems quite haphazard, since the library is not equipped with comprehensive citation guides. For example, if a case was decided in 1890, and it was overruled before 1948, there doesn't seem to be any way of discovering that! The library staff are no help on that point either. Bref, stop complaining about the McGill Law Library. You all have it pretty good! One thing for which I must be thankful: I have acquired the skill of researching in

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Announcements / Annonces

THAT'S ENTERTAINMENT!

Before you are drawn into the inexorable vortex of exams, the LSA invites you to a special preview of the classic play "Arsenic & Old Lace" on November 29 at 7:30 pm. This production of the macabre comedy has a unique twist in that the cast includes some of the glitterati of Montreal's business and legal communities, including luminaries from such firms as Martineau Walker, Stikeman Elliott, Heenan Blaikie, McCarthy Tetrault and Ogilvy Renault.

These Centaur Theatre productions are annual events that are renowned for putting the law in a humorous light and proving that even lawyers have a sense of humour, at least on special occasions! After the show, there will be a reception with a cash bar where you can have a drink and perhaps explore career opportunities with members of the cast. Tickets for this special preview are only \$20 through the

LSA (compared to \$100 for the other two nights), and since this is an LSA fundraising event, your support will go directly toward improving student life at the faculty. For all you hard-core procrastinators and anyone else in need of an entertaining diversion, tickets can be bought at the Pit Stop and at Coffee House this week. This is your chance to view partners like you've never seen them before.

ANNIE MACDONALD LANGSTAFF WORKSHOP

The Annie MacDonald Langstaff Workshop series was initiated in 1988 in memory of the first woman to earn a law degree in Québec -- from McGill (B.C.L. 1914).

Ce mois-ci, l'atelier Annie MacDonald Langstaff prendra la forme d'une discussion avec des experts au tribunal école. Mercredi le 22 novembre à 12h30, cinq avocates vont parler de leurs expériences diverses dans le monde juridique.

By attending the panel discussion, you will be offered a glimpse of the different directions in which a degree in law can lead. Numerous options within the legal

profession will be highlighted, and the speakers will raise important questions about issues of equality and related challenges within the profession.

The five presenters, in addition to their career work, are involved and committed extensively to the law reform process. They are:
Assistant Dean Robin Geller;
Me Sylvie Grégoire;
Me Manon Savard;
Me Johanne Poirier;
Professor Joanne St. Lewis.
Nous espérons que vous viendrez nombreux.

TO THOSE GOING TO LAW GAMES

There will be a competition called "The Battle of the Bands" taking place at Law Games. It would be great if the faculty had a band to participate to this event. So, if you're a musician or a singer we would like to hear from you. Those who are interested in joining the band should send an E-Mail to Dominic Desjarlais (Desjar_D) as soon as possible.

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Pantouflicating

Don McGowan, LLB III

First, the rant

It's getting to be that time of year. You know the time. Your friends and their little brothers and sisters are starting to look at you in a whole new way. You've got something they want. Unfortunately, it's being in law school.

Maybe it's just because I know lots of people on Lower Campus (you may have heard of it - it's the place where the other 29,500 people at McGill go to school), but everywhere I've turned for the last month, I've heard the same song: "I've got pretty good grades, and I'll do okay on my LSATs, so where should I go to law school?"

The best one was last year, when I was sitting in Gert's (it's a bar in the Shatner Building, which is in that mythical Lower Campus), I heard some guy behind me say, "Well, I've got a 3.0, and I got 76th on my LSATs, which is really good, so I'll go to U of T. My dad went there, so I'm going to get in no sweat."

I'll spare you what I told him. I don't know why people always ask *me*. Think of the warped mind that asks a guy who wears furry animal slippers for career advice. But in the end, I always say the same thing. "Why the hell do you want to be in law school?"

I don't get it. I guess when you graduate with a useless arts degree, there's not a whole lot left. After all, what does a degree in philosophy or political science actually *teach* you. I don't know a whole lot of jobs where your boss sits you down and says, "I need a scathing critique of how liberalism has failed Central African post-Marxists, and I need it *by lunch!*"

So that leaves law school. But that begs the question of why anyone in their right mind wants to become a lawyer. I mean, if you *like* helping large multinationals hide millions of dollars from the government through shady tax shelters, or getting criminals out of jail, then this is a great profession to be in. In fact, due to the stringent monopolies in Canadian bars, it's the only profession to be in if that's

what you want to do, but I digress (and when don't I?).

I certainly didn't set out to become a lawyer. I'm only here because I hated my environmental supervisor, and I'm only at McGill because I didn't want Dalhousie's money (and I bet you're wishing I'd been a little poorer when I applied, aren't you?). So when I hear people saying that they're going to be a lawyer because their father's a lawyer and their mother's a judge and everyone else in their family is a lawyer, then I get a bit curious. Because that's not actually a reason to do anything.

If you're here for the dough, great! At least you know why you're here. As for me, I still have no clue. And going into my fifth set of exams, that's kind of an unnerving position to be in. But if I hear one more person say "I've got pretty good grades and LSATs," I'm going to kill.

Now, the films

Ace Ventura, When Nature Calls

Tuesday afternoon, when I should have been in Real Estate Transactions (sorry, Professor Foster), I was walking down the street with The Lovely Susanne™ when I saw it, beckoning me, like Odysseus and the sirens. I couldn't resist. I bummed five bucks off of her, sent her back to work, and went to Ace.

And I must blaspheme. It's a shame there was the first movie. Because this is exactly the same movie, but without Courtney Cox and Sean Young, so the babe factor is entirely missing. Although Ace does give some indication of the missing babe factor when his sidekick walks in on him "knowing himself" (you didn't think I'd actually say masturbating, did you? Oops. Guess I did anyway.)

I heard Hollywood rumors that someone famous quit the film because it was racist. Sure. I guess I can see it. After all, it's set in Africa, and there's the peaceful tribe and the warlike tribe (and why is it always *peaceful* and *warlike*, but I digress). But there's also the stupid white people administration, and it's one of the

stupid white people who stole the sacred bat, so it might be racist, but it hates white people too.

The problem is that it's all the same jokes as the first time around. You're laughing half the time because it reminds you of when he was funny saying that in the first film. Don't get me wrong. It's still a great film. I'll still see it again. But it's not *Ace 1*, and it'll never be *Ace 1*. It's *Wayne's World II* all over again - a pretty good movie on its own merits, but nowhere as good as the first.

90210

It's been an extravaganza for the past few days. Two episodes on Saturday, and then the usual Monday. And I've got one thing to say.

I called it. I called the whole Dylan/Toni plot back before we'd ever seen her. Back when we still thought she'd be a guy. When he said that he was going to stalk and kill Marchette's kid, I turned to The Lovely Susanne™ and said, "It's a woman, they'll get married, and the dad will kill her, and he'll ride off the show into the sunset on his bike." I'm a god.

Of course, *no one* could have predicted the fromage-laden scene of him sitting in the rain with her body in his lap screaming incoherently. Or the way they just said, "I guess he'll be leaving now." Or the great moral message from Donna, "I guess this just shows that life is fragile." Gee. Thanks.

But my big question is: who's going to step in and fill the gap? Who's going to be the Troubled Brooder. Steve? I can only hope. But maybe it'll be Ray. He's already committing career suicide by playing a girlfriend-beater (how will the teenyboppers like him now?), so he might as well go the whole nine yards.

On that point, I've got to give them credit. I figured they'd drop the whole battered girlfriend plot when Jamie Walters got popular. Instead, they're milking it for all it's worth. Which I guess just proves one thing. You can't predict 90210.

Of course, unless you're me.

JODYTALK

Mea culpa, mea culpa, mea maxima culpa. I know that this is a rerun, but it was either write a Jodytalk or write my Aboriginal Law paper. As soon as they substitute my grade in Quid Novi for my grade in Aboriginal Law I will write Jodytalk instead of that "legal opinion". What I wrote in this column is pretty much as true today as it was when I wrote it in second year, except that now beer is either \$1.25, \$1.50, or \$1.75 at Coffee House depending on your commitment to the environment.

By the time most of you read this column you will be neck deep in that peculiar ritual known in academia as "finals preparation." Noted sociologists have described the various rituals that surround this unique aspect of a student's life. The ceremonial garb of a student in the midst of studying for finals is generally loose and ratty, based mostly on sweatshirts, sweatpants and jeans. Some have theorized that this activity is predicated on the fear that tight clothing, while improving your social life, cuts off the circulation to the brain. Another popular theory is that during finals, people want to appear casual or laid back, while they secretly stress. I'm very open about my stress, and so the reason that I wear sweatpants during finals is that my rattiest clothes are the ones I pull out when everything else is dirty.

Sociologists have also noted several seasonal facial expressions that emerge around "finals preparation" First, the perpetual look of surprise on students faces because people keep sighting cases that they have never heard of. Second, the bags (on me they're more like steamer trunks) under students' eyes from the late night study sessions. Third, the worry lines that become permanently etched on students' faces because professors announce during the last week of classes, "I'm afraid that I won't be able to finish the syllabus, and so you should read those

last 15 Supreme Court decisions on your own," totalling about 150 pages in the casebook.

A recently completed garbology study of the law school cafeteria and law student's homes has provided sociologists with a comprehensive list of "finals preparation" cuisine. The most popular items appear to be candy bar wrappers, cola cans and coffee grounds. This has led researchers to conclude that "finals preparation" involves the ceremonial consumption of sweets and caffeine. While I was going to school in California common wisdom had that, with the exception of fortified caffeine colas (ie Jolt), the soft drink with the highest caffeine content was Mountain Dew. Additionally it had that oh so pleasing color of radiator fluid. Much to my dismay I have found that Mountain Dew in Canada contains no caffeine, so I have had to switch to actual radiator fluid, but I digress. The garbologists also found a wide variety of processed foods, Kraft Dinner, Ramen Noodles, Frozen Burritos, and my personal favorite...Chicken pot pies. From this information sociologists have determined that the average student spends about 32.5 seconds preparing a meal. This is about the time it takes to "nuke" something in the microwave, or to call Mike and order a chicken souvlaki. Studies have confirmed that there is a positive correlation between the number of chicken souvlakis produced at Elgin Terrace and proximity to finals. As always these sociological studies should be viewed with a certain amount of skepticism. However, you show me a student who eats three nourishing meals a day during "finals preparation," and I'll show you a student who lives with their parents.

And now for something completely different....Well not that different. The reason that we all work

like slaves during finals is that we are all laboring under the misconception that grades received in a course are directly proportional to work put into a course. This may have had some truth in a previous academic life, but it sure as hell doesn't apply in law school. The best similes that I have come up for law school grades are random number generation, roulette wheels, and how much Roland is charging for a beer this week at coffee house. (Sorry this is a trick question. Beer is always \$1.50 at coffee house.)

The best theory for determining grade distribution is the "skit night" theory. Professors set out different size boxes with letters representing grades on the sides. The largest box is for the median grade, generally a "C -." The professors stand at the top of the staircase at Old Chancellor Day Hall and attempt to pitch exam booklets into boxes. There are generally between 60 - 100 exams, and so naturally a few of them don't make it into the boxes, those are the ones that get an "F."

Some of you are chuckling and saying, "Oh come on Jody you're being just slightly bitter and cynical. Surely you must believe, as we do, that those who work hard all semester will be rewarded, and those who do no work will be punished." I have two words for you, "Grow up!" It really doesn't matter one iota what you did all semester. What does matter is the three hours that you spend in the exam room. I mean we all know that your success in the legal profession will be determined by how fast you write. Also, we all know that any legal question asked can be answered in about 2.5 hours, plus 30 minutes reading time. Take for example the following typical client attorney conversation:

Reception: Good morning Big, Big, Big

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Law Firm.

Client: Yes Mr. Big please, Mr. Abusive Client calling.

Reception: Would that be Mr. Very Big, Mr. Really Big, or Mr. Extremely Big?

Client: I told you I'm Abusive Client, don't you know that I only talk to Extremely Big.

Reception: Please hold, I'm transferring you.

Big: Abusive how the hell are you, you son of a gun.

Client: Enough small talk. You sharks charge by the minute...I'm thinking of buying an office building, but all the HVAC, escalators, alarm, and accounting systems are run by a computer which is in another building. That building is on an emphytutic lease. I need to know what I have to do to make sure that I'll have access to the computer for as long as I own the building.

Big: Any thing else.

Client: Yeah! I want the answer in the next three hours, make sure your

writing is legible, and make sure you check bill 38 to see if its going to affect anything, you forgot to last time.

Another common occurrence is the client who calls up with trivia questions to make sure you've actually memorized the dissenting opinions from the inferior court cases, and not just the important *ratio decidendi* from the Supreme Court.If you can't beat 'em, join 'em I say. In keeping with that sentiment I think that there should be a check off box on all exams with the following proposition. "In lieu of writing this exam would you accept a randomly assigned grade for the course?" *Res Ipsa Loquitur*.*Jody Berkes is a fourth year law student in the throes of penultimate exam period. His diet has somewhat improved since the writing of this column, but the rest stays the same. His column appears weekly in the Quid Novi.*

Top Ten

Steven Leitman, BCL II

Top Ten Reasons We Need New Topics to Write About Other than the Referendum:

10. We'll have to rename it the "Quid Reddy-Girard".
9. If we never change our focus we might forget to write those insightful articles on Groundhog Day.
8. It stifles the creative process.
7. The only place I can turn to avoid it is 1-976-OPAL. It would be nice to have another outlet.
6. We're better off settling this thing with a snowball fight in the Moot Court.
5. Yeltsin said he'd come here if we wrote about him.
4. Don't want to start too late in hyping Christmas and Chanukkah.
3. Not enough whining and lamenting about exams yet.
2. We might as well start talking about the new law library that will take McGill into the 22nd century (I think that gives them enough time, but I could be wrong).
1. Well, at least it's not OJ...

EDINBURGH

(Continued from page 1)

a library with few research tools.

There are a lot of ERASMUS students here, coming from all parts of Europe. However, these students generally only take "subjects" as opposed to honours courses. These "subjects" are the basic introductory courses, and are of little use to McGill students. The honours courses are very competitive and are usually only open to students seeking a degree from Edinburgh. Each student applies for the honours courses s/he would like to take, in order of preference. The students with the highest marks get into the courses of their choice, whereas the students with the lower marks often have to settle for whatever is left over. By the time of my registration, most of the honours courses were already full, but I was able to convince Wilson

Finnie to allow me into the courses of my choice. If you go on this exchange, it is important that you make sure ahead of time that they will let you take the honours courses of your choice. Otherwise, the exchange might not have much to offer you.

The cost of living here is higher than in Montreal. I share a university flat with two other students, and we each pay about 330\$. In addition, we will each have to pay about 30-40\$ per month for electricity and heating. Housing is hard to find, so students are advised to apply to the University Accomodation Service. There is no guarantee of proximity: it takes me 30 minutes to walk to school, or 15 by bus. Food is more expensive, perhaps 20% more than I was used to paying in Montreal; however, these prices may be competitive with what you see in downtown Montreal! Urban

transportation is about the same, but inter-city transportation costs a fortune (i.e. about 80\$ for a return train ticket to London, or 50\$ for the overnight bus).

Edinburgh is one of the most beautiful cities in Britain; and perhaps the most photogenic. Culturally, Edinburgh has a lot to offer. I am really thrilled to be here, and I am certainly enjoying my year away on exchange. The weather has been fine (yes, the sun does shine here!), but I hear that the wind and the rain in the winter can make it unbearably cold.

My e-mail address is: sheenab@srv0.law.ed.ac.uk.

I would be happy to answer any other questions you might have, so just drop me a line. Even if you are not interested in the exchange, but just want to say hi to an old friend, feel free to write me.

Article en forme de débat

Véronique-Élisabeth Marquis, BCLII

Je m'étais promis de ne plus parler de référendum. C'est un sujet qui finalement m'agace et m'ennuie. Je n'ai plus rien à en dire, sinon quelques mots sur la couverture du référendum - ou plutôt de ses suites - au sein de notre faculté. Je me diviserai en deux points: le Quid, et le reste.

La couverture après-référendaire a été plus qu'abondante dans le Quid. J'ai été étonnée du nombre de personnes qui se sont affichées pro-oui, considérant que leur total dans la faculté doit avoisiner le 15, peut-être 20%. Je fais partie de ce nombre. J'aimerais signaler qu'il n'est pas toujours facile d'être dans ce camp-là dans notre faculté. Il s'agit d'une MINORITÉ. Les francophones de McGill savent ce que c'est que d'être en MINORITÉ. Heureusement, nous pouvons nous attendre à un niveau d'éducation et donc d'ouverture assez élevé de la part de nos consoeurs (le féminin étant utilisé à seule fin d'alléger le texte). Mais ces attentes - en tout cas, les miennes - sont très déçues par le tournant que prend le débat actuellement.

Je trouve très sain qu'on réponde aux articles parus dans le Quid. Mais il y a une manière de faire les choses. Je ne parlerai pas de la PHRASE INFÂME de Parizeau: À quoi bon prêcher dans le désert? Je ne cautionnerai aucun article par les pro-oui: je ne parle que pour moi. Mais je trouve que les attaques disgracieuses du dernier Quid demandent une réponse.

Notre rédacteur en chef a, depuis septembre, professé 4 fois sa foi canadienne. Je me sens comme si je lisais *La Presse*, mais je n'ai rien, au fond, à y redire. C'est son droit le plus absolu. Moi-même, je revendique ce droit à une opinion. Je ne prétendrai pas qu'elle soit LÉGITIME; j'ai déjà exprimé assez clairement mon idée, savoir que tout n'est qu'émotion dans ce débat.

Par contre, les répliques qu'a suscité l'article de Danhoé Reddy-Girard me lèvent le coeur. D'abord, il me semble que 4 articles, c'est beaucoup. S'il n'y a aucun tri au Quid pour sélectionner les articles, est-ce que ça signifie que je peux leur envoyer mon travail en Droit des minorités (25 pages, 118 723 notes de bas de page) et qu'ils le publieront? Great! Moi qui ai toujours rêvé

d'être publiée... et sinon, est-ce qu'il n'y a pas une limite à la répétition? Car au fond, tous ces articles (je parle de ceux de Westreich, Kelly, Linder et Shea) disaient essentiellement la même chose: qu'ils n'étaient pas d'accord. On a compris le message.

Maintenant, passons à la façon de le dire. Même quand je ne suis pas d'accord avec quelqu'un, je peux, il me semble, apprécier la force de ses arguments; et même le respecter justement parce qu'il prend la parole. Voltaire ne disait-il pas: «Je ne suis pas d'accord avec tes arguments, mais je me battrais pour que tu puisses les défendre»? Je dois donc dire que messieurs Shea et Linder ont exprimé des opinions LÉGITIMES et ma foi, qui ne manquent pas de vrai.

Reste Westreich et Kelly. Je dois dire que je ne connais personnellement ni l'un ni l'autre, pas plus d'ailleurs que les deux précédents. Mais leur façon cavalière d'aborder le problème de l'identité québécoise m'a profondément touchée; elle m'a aussi dégoûtée. Voilà, sous la plume de deux universitaires qui, peut-être, sont d'autre part très brillants, qu'on brandit ce gros mot, le S... word: séparatiste! Pourquoi pas séparatisme tant qu'à y être! Mais comme s'il n'était pas suffisant de jouer ce jeu grossier et ignare, il faut y ajouter quelques insultes, quelques mots-chocs, pour faire bonne mesure. Ainsi, ce sont les souverainistes qui ont manipulé la campagne et volontairement déclassé des bulletins de vote. Le Québec veut détruire le Canada. C'est une trahison. Bravo les gars. Voilà qui va certainement contribuer à votre cause. C'est sûrement en insultant les indépendantistes que vous gagnerez leur coeur.

Je suis outrée que le non-mot séparatiste, un mot de peur, d'inquisition ait fait son chemin dans votre vocabulaire. C'est Jean Chrétien, cette source de fierté pour notre langue, qui doit être content. Je suis outrée que vous rejetiez si allègrement la présomption d'innocence des souverainistes quand aux bulletins de vote rejetés. Quelles preuves avez-vous? Êtes-vous donc si à l'aise avec votre manifestation, payée à grands frais et au mépris des lois québécoises, par des

compagnies canadiennes? Comment trouvez-vous l'attitude des compagnies d'interurbain qui ont refusé de se plier aux ordres du CRTC? Ne pouvez-vous pas avouer au moins que la manipulation se fait dans les deux camps? Vous nous accusez de trahison. Avez-vous oublié que la GRC a allumé un incendie dans une épicerie Steinberg pour en faire accuser le FLQ? Savez-vous au moins qu'une agence gouvernementale fédérale a mis sur écoute la CHAMBRE À COUCHER de Louise Beaudoin? Les manquements flagrants à la loi et à la justice trouvent-ils grâce à vos yeux quand ils sont commis par votre camp? Y a-t-il une limite à se faire insulter par votre bêtise? (Je ne devrais peut-être pas écrire bêtise. Mais je préfère penser qu'il s'agit de cela plutôt que de cruauté.) Vous nous accusez de vouloir briser le Canada. Ne pouvez-vous pas voir l'autre face de cette pièce, la volonté non pas de détruire un pays, mais d'en créer un? Je suis choquée d'avoir à vous rappeler tout cela. Puisque vous m'appellez séparatiste, devrais-je vous appeler fédériste? Non. Nous avons eu, du moins dans le Quid, plus de classe que vous. Je dirai seulement que je suis indépendantiste, et que, à ce que je sache, personne n'est dépendantiste en ce bas-monde.

Je suis plus qu'outrée ou choquée. Je suis peinée. Vous nous accusez de stigmatiser nos minorités. Faut-il vous rappeler qu'ici, dans cette faculté, nous sommes cette minorité sur laquelle vous n'avez eu de cesse de frapper dans vos articles? Te souviens-tu, Glen, que tu as indiqué l'an dernier qu'une bonne raison de voter pour toi était que tu n'avais jamais voté pour le Bloc Québécois? Je n'ai pas voté pour toi. C'était tout simplement vulgaire de voir cela, sur une affiche, ce mépris si total de l'identité québécoise. Ce n'est pas ton article que je vise ici, mais cette attitude si typiquement «McGill» de prêcher autre chose que ce que l'on fait. Les Franco-Québécois savent ce que c'est que d'être une minorité. L'avez-vous oublié aussi? Sans doute voudrez-vous répondre à cet article. Je vous prie même de le faire. J'aimerais tellement m'être trompée sur ce que j'ai compris de vous... et sur ce que vous n'avez pas compris de moi.

Mon deuxième point concernait le débat en-dehors du Quid. Je serai brève, puisqu'il n'existe pas. Je voudrais seulement qu'on cesse de faire appel à l'unité canadienne en nous faisant croire qu'il s'agit d'un débat. Ceux à qui le chapeau va, qu'ils le mettent.

David White LLB II

Welcome to what will, in all hope, be an irregular music review column for the *Quid*. Its regularity (not mine) will depend on how many CD's I manage to purchase in the future and listen to consistently enough to form an OPINION on. Please let me know if you agree with that OPINION or not: e-mail me (ugh) at white_d, pester me at Coffee House, or slap me in the halls.

And now an important administrative feature: the scale. I propose to rate the records on a scale of ten Hooties, the numerical component being the approximate times better the group in question is than our Blowfish friends. I'm not saying Hootie's bad (in so many words), but it does provide a base from which real music can clearly be evaluated. I'm stopping at ten Hooties out of convenience only; Lord knows the scale could run *ad infinitum*.

And so, with no further ado:

Mellon Collie and the Infinite Sadness:

The Smashing Pumpkins

The Smashing Pumpkins return to the forefront of modern rock with their new double

album, *Mellon Collie*. Yes folks, not only do they revel in '70's arena rock wattage, they also make use of the era's favourite way to soak the consumer. Take heart though - it seems worth the price of admission.

Topping the Butch Vig-produced *Siamese Dream* was and is an impossibility: that album was the best thing out that year from front to back; indeed, to my mind, it's one of the best in the last 15 years, if not of all time. *Mellon Collie* brings producers Flood (U2) and Allan Moulder (Nine Inch Nails) on the scene, and the result is a record which almost cannot be compared to *Siamese Dream*. The two are so different in terms of production and sound, yet similar enough to recognize that this is the same band.

I don't mean to say that the delicious fuzz of "Geek USA" or "Cherub Rock" is gone - check out "An Ode to No One" on Disc One if you have any doubt. Instead, we are witnessing the evolution of a band - for the better, I think - from the

raw sonic attack of debut *Gish* through the intensity of *Siamese Dream* to the reflection of *Mellon Collie*. Yes, there are strings and keyboards, but they are strangely **not** out of place. There is an inherent completeness to the sound on this album - first glimpsed in "Disarm" on *Siamese Dream* - which one recognizes and accepts instantly, without even expecting it.

Disc One is the better of the two by virtue of its variations which manage to coalesce into a rather integrated whole. After a curious piano solo for the first track, that eerily-familiar sound shines through on "Tonight, Tonight", with lush string arrangements belied by Jimmy Chamberlin's manic drumming. "Jellybelly" is the first 'typical' Pumpkins track, the wail of the guitars matched only by Billy Corgan's own. With "Zero", the disc hits its stride as guitars rage while Corgan notes in sing-song cadence: *Emptiness is loneliness/and loneliness is cleanliness/ And cleanliness is godliness/and God is*

empty just like me.

An early climax comes in the first single, "Bullet with Butterfly Wings", which is simply captivating. From the drawled opening, *The world is a vampire*, through the wrenching chorus, *Despite all my rage/I am still just a rat in a cage*, D'Arcy's bass throbs like some primal heartbeat, driving the track to its whimpering conclusion. In the remaining eight tracks lies the true beauty of Disc One, a mix of quiet and crash alternating in perfect conjunction, pulling you along almost blindly. "Porcelina of the Vast Oceans" is a stand out example of this seductive tease.

Unfortunately, Disc Two does not quite measure up to what we come to expect after Disc One. The opening track, "Where Boys Fear to Tread", is an understated blisterer demonstrating well-timed restraint, even if it is overlong. "In the Arms of Sleep" could well put you exactly there, which would cause you to miss the excellent "1979" that follows. The vocal filter on "Tales of a Scorched

Earth" smells too much like anything by Trent Reznor or Al Jorgenson for my taste: works for them, fails here. The odd vaudevillian calliope of "We Only Come Out at Night" is perversely attractive, but only superficially so - it touches nothing more than one's sense of novelty. By the time we reach the last track, "Farewell and Goodnight", with its wah-wah guitar and three-part harmony, we are left wondering just what the hell we've sat through.

Of the 28 songs on *Mellon Collie*, at least fourteen are ones you can count on. While that may only be one-half, kindly recall that a regular CD with seven good songs out of fourteen is pretty damn rare. *Siamese Dream* had that magnificent seven, but numbers really mean nothing. The great songs on *Mellon Collie* (read: Disc One) are diminished by the indulgent ones (read: Disc Two), but overall the album remains one deserving of praise. Perhaps the U2ish production values will spin some *Siamese Dream* fans the other way, but that might not be so bad

after all. To spit out the requisite truism, a band is nothing without growth of some kind, except a certain resident

of the delete bins. *Mellon Collie* is a mostly successful hybrid of old and new Pumpkins which should attract its own audience while preserving all those who have been with them since "Drown". The album is less a surprise the more one thinks about it and listens to it, and while that does little to mitigate the disappointment in Disc Two, it does make the effort all the more appreciable.

According to Billy Corgan in a recent *Rolling Stone* interview, *Mellon Collie* marks the last of the Smashing Pumpkins as we know them. Whether that means the sword of Damocles is finally coming down on the band's strained relationship or merely a new direction for the band, Corgan wasn't saying. If it is the former, then the band has left an enduring legacy behind; if the latter, then *Mellon Collie* perhaps provides an invitation to follow them, one for which I will be happy to RSVP, faults and all.

RATING: 8 1/2 HOOTIES

PURCHASES

Réponse

Danhoé Reddy-Girard, BCL I

Vous avez interprété mon texte «Les «votes ethniques» comme étant contraire à la démocratie puisque jugeant la légitimité de votes, comme spéculant sur l'existence de votes animés d'une seule considération de reconnaissance et faisant fis des autres considérations, comme étant aveugle aux politiques actuelles concernant l'immigration.

Vous avez mal interprété mon texte. Vous avez déformé mes affirmations et diffamé mes intentions. Vous avez laissé de côté votre esprit critique au profit de vos propres *desideratas* idéologiques, ne voulant voir dans mon écriture que ce que vous vouliez bien y voir.

Néanmoins, votre intervention aura été bénéfique, car si de telles interprétations avaient fermenté, si ce n'est fomenté, dans votre esprit, je ne pourrais maintenant les en exorciser.

1. De la démocratie

Steve Kelly (LLB II) et Glen Linder (LLB II), vous croyez que «No one should judge whether a citizen's voting choice was exercised with or without legitimate consideration» (Linder), et que c'est ce que j'aurais fait.

Or, comme vous, je suis d'avis qu'on ne peut mettre en question la validité d'un vote puisque celui-ci ne concerne que l'individu (principe édicté par Jean-Jacques Rousseau), qu'importe les considérations qui le supportent. Toutefois, mon article ne critiquait pas la validité de tels votes. Au contraire, il ne faisait lumière que sur un certain type de frustration chez les souverainistes, frustration qui se trouvait à avoir pour objet la reconnaissance qu'ont certains immigrants envers le Canada. Ces votes ethniques n'étaient donc envisagés que dans l'esprit des souverainistes animés d'une telle frustration.

Peut-être allez-vous me répliquer : «mais, M. Reddy-Girard, votre analyse de la frustration des gens implique l'analyse des raisons des immigrants qui ont voté NON». A cela je réponds : même si c'est un peu le cas, qu'y a-t-il de mal de voir une frustration et de tenter de l'expliquer? Et puis, si toute spéculation sur les motivations des gens était *tabou*, quelle serait l'utilité des sciences sociales et des journaux, ces agents de la maturité politique des peuples? Moi, je ne veux que favoriser l'échange d'idées et, partant, la démocratie. Je ne mets pas en question la validité de quelque vote que ce soit. Aussi, tout le

galimatias de M. Kelly concernant mes gros méchants projets d'une «essentially exclusionary society» est sans fondement.

2. Interprétation de la considération

Daniel Westreich (BCL II), vous m'accusez d'avoir affirmé que «many voters apparently voted NO without legitimate reasons». Wow! Patrick Shea (BCL I), je vous suis reconnaissant de la nuance que vous apportez à mes propos et partage même de façon générale votre article, mais vous semblez vous égosiller à croire que je supporterais l'idée que certains individus ne pensent pas, qu'ils ne sont animés que d'une reconnaissance envers le fédéral et que cette considération ne rentre pas dans la balance des avantages et des avantages à laquelle vous attirez l'attention. Steve Kelly et Glen Linder, vous semblez souffrir du même biais.

Contrairement à vos dires, l'article en question ne spéculait pas sur l'existence de tels votes uniquement animés par une considération illégitime. Il stipulait plutôt la présence d'une frustration légitime (peut-être mêlée à de la frustration illégitime, ça va de soi) qui, elle, se basait, toujours dans l'esprit des gens, sur des schèmes cognitifs évoquant la présence de votes animés de façon prépondérante par une considération illégitime. (Remarquez comme ça engouffre des lignes, comme ça fait des textes touffus, que de toujours, toujours respecifier les détails de chaque proposition, de s'empêcher d'utiliser les ellipses que nous offre le langage, de sous-estimer les capacités de compréhension de ses lecteurs... et de le mélanger, ce faisant, encore plus.)

Bien sûr, vous pourriez répliquer que si ces votes n'existaient que dans l'esprit des gens, on ne pourrait plus parler de la frustration qu'ils supportaient comme légitime. Or, je ne puis croire que sur je ne sais combien de milliers d'immigrants (est immigrant qui se considère immigrant), cette reconnaissance n'ait pas joué sur le jugement de certains. En effet, dans un premier temps, on peut présumer que certains immigrants étaient indécis puisque certains ont voté OUI, d'autres NON. Dans un deuxième temps, on peut présumer l'élément de reconnaissance illégitime envers le Canada, ce dont je reviendrai au prochain point. Dans un troisième temps, on peut déduire de ces deux présomptions une troisième : il est rationnel de penser que, advenant un équilibre entre la balance

du pour et du contre qu'effectue tout individu doué de raison, cet élément de reconnaissance, quel qu'il ait été son poids chez chacun des individus, puisse avoir fait pencher la balance cognitive du côté du NON.

Quant aux autres considérations qui ont soutenu les votes de chacun, je n'ai tout simplement pas trouvé pertinent de les énumérer dans cet article. Cela aurait été digresser par rapport à mon sujet de la frustration légitime basée sur l'existence de tels votes ethniques.

3. De l'immigration et de la légitimité de la reconnaissance

Steve Kelly et Patrick Shea, vous stipulez que mon texte ne tient pas compte que le pouvoir sur l'immigration est administré en partie par le gouvernement provincial. En même temps, vous, Steve Kelly, argumentez qu'une immigration appartenant à la province ne respecterait pas la section 6(2)(a) du *Constitution Act, 1982*, loi qui n'a, d'ailleurs, pas été ratifiée par notre province. Et bien, sachez qu'avec une telle disposition, bye bye le contrôle provincial sur l'immigration. Bien sûr, j'en mets un peu. Aussi, je reconnais l'existence d'un tel partage administratif. Mais il reste que tant qu'il y aura Immigration Canada, il y aura reconnaissance portée envers le Canada.

Vous auriez toutefois raison de remettre en question la légitimité de cette reconnaissance. Si on se fie à la notion de société distincte et qu'on l'interprète à 100% distincte, on aurait raison de dire que reconnaître le Canada est à quelque 25% légitime puisque c'est là, présumons-le, malgré le blocus de la majorité que forme le reste du Canada, le poids du Québec. Dépendamment du pourcentage de distinction entre les deux sociétés, on pourrait ainsi évaluer le degré de légitimité d'une reconnaissance. Et même si ce degré d'illégitimité descend, dans la pire des interprétations, à 1%, il reste que ce serait suffisant pour justifier l'illégitimité... Bon... Beaucoup de chiffres... Des petits chiffres... Mais, enfin, mon point reste tenable théoriquement.

Voilà, j'ai remis les pendules à l'heure concernant l'interprétation à laquelle mon article avait droit. Soyez toutefois certains que je ne regrette pas vos interventions : celles-ci m'ont permis de préciser ma pensée et en ont donné l'occasion à nos communs lecteurs. Ainsi cela m'a-t-il permis de mieux apprécier l'importance réelle du phénomène dont je défends l'existence sur le plan théorique.